IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:19-CV-189-FDW-DCK

DANIEL C. FLINT, et al.,)	
Plaintiff,)	
v.)	<u>ORDER</u>
ALLY FINANCIAL INC., et al.,)	
Defendant.)	
)	

THIS MATTER BEFORE THE COURT on the "Joint Motion For Extension Of Time For Defendant Ally Financial Inc. To Respond To Plaintiff's Complaint" (Document No. 6) filed May 30, 2019. This matter has been referred to the undersigned Magistrate Judge pursuant to 28U.S.C §636(b) and immediate review is appropriate. Having carefully considered the motion, the record, and noting consent of the parties, the undersigned will grant the motion, with modification.

This matter is governed by the "Standing Order Governing Civil Case Management Before the Honorable Judge Frank D. Whitney." (3:07-MC-047-FDW, Document No. 2). As such the "Initial Scheduling Order," issued in this case on April 16, 2019, provides in pertinent part:

Extensions of time to serve pleadings shall not be granted except by leave of court for good cause shown (consent of opposing counsel alone is not sufficient). Absent extraordinary circumstances, no party shall receive more than one extension of time to serve a pleading, with any such extension being no more than twenty (20) days in duration.

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Any motion to extend the forgoing time... shall be filed immediately upon counsel learning of the need for the same and in any event no fewer than three (3) business days in advance of the filing deadline sought to be modified. The moving party must show consultation with opposing counsel regarding the requested extension and must inform the Court of the views of opposing counsel on request. If a party fails to make the requisite showing, the Court will summarily deny the request for extension.

(3:07-MC-047-FDW, Document No. 2) (emphasis added).

IT IS, THEREFORE, ORDERED that the "Joint Motion For Extension Of Time For Defendant Ally Financial Inc. To Respond To Plaintiff's Complaint" (Document No. 6) is GRANTED with modification. Defendant Ally Financial, Inc. shall have up to and including June 24, 2019 to answer or otherwise respond to Plaintiff's Amended "Class Action Complaint" (Document No. 3).

Signed: May 30, 2019

David C. Keesler

United States Magistrate Judge